





# ANY COMPROMISE A SURRENDER.

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## SPEECH

OF

HON. D. W. GOOCH, OF MASS.,

In the House of Representatives, February 23, 1861.

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The House having under consideration the report from the select committee of thirty-three—

Mr. GOOCH said:

Mr. SPEAKER: Why is it that the people of six or seven States are to-day arrayed in open rebellion against this Government, and the people of as many more doubting whether they shall remain loyal or join in the rebellion? Why is it that almost one half of this nation, the most prosperous and happy the world has ever known, speaking the same language, living under the same laws, enjoying the same political institutions, having the same common government, participating in the same glorious recollections of the past and bright hopes for the future, bound together by every tie that interest, long and pleasant association, consanguinity, a common origin and destiny can throw around a people to unite and make them forever one, is to-day looking upon the other half as enemies, and ready to take up arms against them? This is the question we must answer before we can prescribe the remedy for existing evils. It is not enough that we know the fact that these evils exist; we must also know the causes which produced them. The nature and cause of the disease in the body-politic, as well as in the physical body, must be ascertained before the remedy is applied.

Two systems of labor, free labor and slave labor, exist in the land; one in the North, the other in the South. They have existed since the beginning of the Government precisely as they exist to-day; and the conflict between them is no more irrepressible now than it has been for the last half century.

No reason for severing the Union of these States can be given to-day which could not with equal justice and propriety have been given at any day since the Union was formed. It was

seen and known from the beginning that free labor, and free labor alone, would be employed in the North; and while it was hoped and believed by the founders of the Government that slavery would not be perpetual, it was fully understood that slave labor would continue to be employed in the South long after it had been abolished by the States of the North.

No right or power was conferred by the people upon the Federal Government to legislate in relation to, or to interfere with, any system of labor in a State, whether free or slave. This Government has no more right or power to legislate in relation to, or interfere with, the system of slave labor in South Carolina, than it has to legislate in relation to, or interfere with, the system of free labor in Massachusetts; no more right or power to abolish slavery in the one than to establish it in the other. And no State, or people of a State, have the right or power to interfere with the system of labor in another State. Each can control its own; not another's.

I think scarcely a man can be found in the whole North who will deny these propositions. We have always so understood the Constitution and the powers and relations of the States; and we ask for and desire no change of the Constitution in this respect, and no alteration or change of the Constitution in any respect. The Constitution which our fathers made, and under which we have lived, we will obey, preserve, protect, and defend under all circumstances. I know that there are a few men in the North, some of them eminent for their ability and virtues, in private life, who are not satisfied with the Constitution as it is, and desire to see it annulled and the existing Government overthrown, in order that a new Constitution may be made, and the Government reconstructed with power to abolish and

prohibit slavery in every State. These men are few in number, belong to no political party, take no political action, refuse even to vote, and look upon the Republican party as the obstacle in the way of the accomplishment of their object; because that party, representing, as it does, the opinions and sentiments of the North in relation to slavery, is pledged to support the Constitution as it is, maintain the Union, and give to every section of the country all its rights.

These men are so few in the North that they exert no considerable influence or power over the people to control political action; and could not, if they should unite with any existing political organization. They hold the same relation to the Federal Constitution and Government that the disunionists of the South do. Both desire their overthrow and destruction, that another and a different Constitution and Government may take their places. They differ in this. The disunionists of the North wish a Constitution and Government with power to abolish and prohibit slavery everywhere. The disunionists of the South desire a Constitution and Government with power to establish and protect slavery everywhere. Both wish to give to this Government greater powers; the one that it may abolish and prohibit slavery everywhere in all the States; the other that it may establish and protect slavery everywhere in all the States. The one wishes that the power of the Federal Government shall extend into the slave States to free all slaves; the other that it shall extend into all free States to protect the master in the possession of his slaves, whenever he may choose to take them into a free State. Neither is content with the Constitution as it is; neither is willing to obey the Constitution, and live under the Government which our fathers made. Both think that they can make a wiser and better Constitution and Government; and, to try the experiment, are willing to peril all the prosperity, security, happiness, and peace which thirty millions of people enjoy under the Constitution and Government as it is.

Shall we permit either to try the experiment? Shall we at this time recommend to the people to so alter or amend the Constitution as to satisfy men who demand the alteration of the Constitution or the overthrow of the Government? These alterations are not proposed because experience has shown that the Constitution needed amendment. No man dreamed of amending the Constitution before the result of the late election was known; and had the section of country which now asks these alterations elected to office their candidates, no man would have heard of any alteration or amendment to the Constitution. Mr. Speaker, a Constitution which is good enough with the Democratic party in power is, in my opinion, good enough with the Republican party in power. A Constitution which is good enough with the administration of the Government in the hands of men who think that all the influence and power of this Government should be used to extend slavery into free territory, is also good enough with the Administration in the

hands of men who think that the free Territories of the United States should remain free.

I have said that the number of these men in the North is small, and that although they embrace men of the highest order of intellect and attainment they exert no considerable influence over the mass of the Northern people. But we find a few disunionists at the South now exerting a controlling influence over the people, moulding and directing the popular will at pleasure, arraying whole communities of men against the best government on earth, from which they have received nothing but the richest benefits a benign government can bestow upon its subjects. It is not at all strange that men should be found in both sections of the country advocating radical changes in the Constitution and laws. But it is strange that in the one section of country they should lead and control the whole mass of the people, while in the other they are wholly unable to exert any influence over the people; that in one section they should be able to organize open rebellion against the Government, while in the other they can scarcely disturb the loyalty of any citizen to the Government, or excite the least hostility towards the people of the other section of the country. Why this difference? The people of the North know and understand everything that pertains to the South. Your newspapers are found in all our villages, and are read by all classes of men. Southern men speak freely their opinions at the North, both in public and private. Freedom of speech and the press, liberty of thought and action, is everywhere protected. We ask no safeguard against error, but truth. Not so in the South. Your people do not understand the feeling, principles, and motives of the people of the North. No Northern man who correctly represents the sentiments of the North is permitted to speak to your people. No Northern newspaper representing the political sentiments of the North, is permitted to enter or be read in your States. All that your people know of the principles and intentions of the Republican party, they have learned from our political opponents. The more of that kind of knowledge they have the less they know of us. Freedom of speech and the press is everywhere in the South denied, and the passions of your people are so constantly inflamed against the people of the North that a Northern man, when in one of your States, is under the same surveillance and restraint that he would be in an enemy's country. Any expression of thought or opinion not satisfactory to your people exposes him to indignity, and sometimes to death.

If freedom of speech and the press had never been denied by you, the disunionists in the South would be no more numerous or powerful to-day than they are in the North. They would not now be an appreciable quantity among the political forces of the country. Here I think we find the origin and cause of the evils which are now upon us. Had freedom of speech and the press been maintained with you as with us, it would have been as impossible to make the people of South Carolina revolt against this Government as it would the people of the most loyal

State in the North. The principles and intentions of the men of the Republican party would then have been understood by your people, and although there probably would have been a difference of opinion in some respects as to what the action of this Government should be in relation to slavery, still that difference would never have led the people of the South into rebellion against the Government.

All your people would have known as you, their representatives, know, that we claim not the right, and have not the wish, or intent, to interfere with slavery or any other institution in your States.

Under our system of government freedom of speech and the press is as essential to the safety of the Government as to the protection of the rights and liberties of the citizen. The evils that are now upon us might have been foreseen as the natural consequence of the suppression of freedom of speech and the press, for many years, in almost one-half of our country.

Distrust and fear of the Government, and hostility towards the people of the other section of the country, are its natural fruits. It is only in the darkness that men fear pit-falls and traps that do not exist, and blows from unseen hands. This it is that has given to a few restless radical men, such as can be found in every community, power to deceive and mislead the body of the people by false representations as to the intentions of the men elected to office, and the object and purposes of the Republican party. Now, Mr. Speaker, if it be true that the suppression of the freedom of speech and the press has produced the evils which are now upon us—and I think no man will deny that these evils could not otherwise have happened—then are you, men of the South, and you alone responsible for them; and you alone have the power to cure them. Neither amendments to the Constitution nor acts of legislation will furnish the remedy. If you have permitted your people to be deceived in relation to the principles, intentions, and wishes of the Republican party, you must go home and undeceive them. Give to them the newspapers and speeches of public men which correctly represent the principles of the Republican party; let them know the wishes and intentions of the men now elected to office, and you will do more to put down secession and rebellion, and restore peace and harmony to the country, than can be done by voting for all the amendments to the Constitution that have been or can be proposed. We have defined the position of our party in relation to slavery in the most solemn manner by the action of the delegates of all the people in national convention, and also by resolutions in this House voted for by every representative upon this floor. We have not changed or modified our principles in the least, nor do we propose to do so. The doctrines of the Chicago platform we propose to stand by, not because they are the doctrines of the Chicago platform, but because we deem it essential to the good of the country that these principles shall be carried out in the administration of the Government.

A constitutional majority of the people voted

for Mr. Lincoln because he is the representative of these principles; and does any man suppose that he or any man elected to office with him will abandon these principles now, in obedience to threats or in compliance with entreaties? Does any man in this House suppose that the Union of these States can be maintained by constantly compromising principle? It has often been said by men on both sides of this House that the day of compromises had gone by. If it meant that the day when principles can be compromised has passed, I am glad of it. It ought never to have come. He who sacrifices principle for present peace and prosperity only draws upon the future for the means to purchase ease and tranquillity in the present, and must repay with usury. One compromise only makes way for another. In the world's history this truth has not been more fully demonstrated than in the past action of this Government. Hereafter let all questions be settled by principle, instead of compromise. I cannot yield my convictions of right and duty on one question because others yield, or pretend to yield theirs on another. The people of this country have a right to expect—yea, to demand—that the men they have elected to office shall in office adhere to the principles they have professed while candidates for office.

The questions which now present themselves to us must be met, not avoided. They involve the integrity, if not the existence of the Government. In determining how these questions shall be settled, we must consider not merely what settlement will show the best balances on ledgers at the end of 1861, but what settlement will give most security and stability to the Government, and conduce most to the peace and happiness of the millions who shall come after us.

We see, Mr. Speaker, that slavery has driven six States into open rebellion against this Government, and the indications now are that it may compel still other States to follow their example. And this it has done, not because slavery has not received all that it has wished from the Government; oh! no; it has controlled the Government almost all the time for the last half century. What slavery has willed the Government has executed. And during all this debate I do not remember that the first grievance received by any State from this Government has been alleged or the first complaint against it made. Six States are in open rebellion, without being able to bring the first accusation against the Government or any of its officers, and that, too, whilst a President elected to office by these very States is still at the head of the Government, a majority of the Senate their especial friends, the Republican party in a minority in the House of Representatives, and the Supreme Court making decrees and giving opinions especially acceptable to the South.

The only reason that can be assigned for this rebellion at this time, is the fact that the people have elected a President who will not use the influence and power of his office in favor of the extension of slavery into the Territories, and because slaveholders know that they will no longer have the absolute control of the Govern-



ment. The personal liberty laws, of which we hear so much, are no new enactments, they have been on the statute-books of the States for years. In some States they have been recently repealed, in others modified. The doctrines of the Republican party in relation to slavery in the Territories are not new. They have been before the people of the country for a long time. In 1856 you joined issue with us on these same doctrines, and we were defeated. We acquiesced in the decision of the people as we had always done before, and always intended to do. In 1860, you again joined issue with us on the same doctrines, and you were defeated. Each of us by going before the people and asking for votes, pledged ourselves to abide by the decision of the people. If we had been defeated we should have acquiesced in that decision. You would have answered us with scorn and contempt if we had come here and demanded that the principles which we had advocated, and the people had rejected, should be incorporated into the Constitution. Yet this is exactly what is now asked of us. The amendments to the Constitution proposed by the distinguished Senator from Kentucky, [Mr. CRITTENDEN,] in behalf of slavery, include all that was asked for slavery in the Breckinridge platform, and even more. These propositions the people refused to accept as the basis of the administration of the Government for four years, and now the demand is made that we shall recommend to the people to insert them into the Constitution, and that they shall forever be a part of the fundamental law of the land, without the possibility of alteration or repeal. The amendments proposed by the gentleman from Maryland, [Mr. HARRIS,] commonly called the border State propositions, although they do not propose to strike a fatal blow at the rights of all the free colored men in our country, as does one of the propositions of the Senator from Kentucky, [Mr. CRITTENDEN,] are still liable to the same general objection. The doctrine of the North is that slavery is a moral and social evil, and ought not to be extended into the Territories of the United States. We believe that every citizen of all the States has a voice and a responsibility in determining what shall be the laws and institutions of the Territories, and if we permit slavery to go into and exist in the Territories, then we of the free States are as much responsible for its existence there as is any citizen of a slave State responsible for slavery in his State. And for this reason we will not consent that slavery shall be established in any of the Territories, either by law or by constitutional amendment, if it is in our power to prevent it.

The obligations which the Constitution, as it is, imposes upon us, we will perform, but we are under no obligation to amend the Constitution for the benefit of slavery. The first amendment\*

of the Senator from Kentucky [Mr. CRITTENDEN] excludes slavery north of 36° 30', and fastens it upon all territory south of that line; so that neither Congress nor the people of the Territory can ever abolish or prohibit it, but requires that it shall be protected by all the departments of the territorial government.

Now, sir, the prohibition north of 36° 30' is worthless to the North and to freedom. After the experience in Kansas, I think the attempt will not again be made to fasten slavery upon territory north of that line. This amendment is, in substance, that slavery shall be protected in all the territory of the United States where the climate and soil will permit it to exist; and it would have been no more objectionable, but much more fair and honest toward the people of the North if it provided in express terms that slavery should be protected everywhere in the territories where it is possible for it to exist. It would then have deceived nobody. The South agreed with the North forty years ago that slavery should be excluded from all the territory we then had north of that line, and Missouri came into the Union as a slave State.

The law excluding slavery continued un repealed more than thirty years, and until it was thought that slavery might be introduced into Kansas, and then it was repealed by the South, in violation of the compact with the North. The attempt was made to force slavery into Kansas and a slave constitution upon the people. To accomplish this object all the powers of slavery and all the powers of the Federal Government were employed. And the action of the highest officers of the Government in relation to this matter furnishes the most disgraceful chapter in American history. The attempt failed ignominiously, and covered with shame and disgrace all who participated in it. The experiment demonstrated that slavery could not be planted above that line; and now the South, satisfied of that fact, proposes to prohibit slavery north of that line, where it knows, by actual experiment, it can never go. And in return for this, slavery is to be established and protected in all the territory south of that line by all the powers of every department of the Government. And now all the advantage being on the side of the South, without the possibility of change, the contract is to be made a part of the Constitution and irrevocable.

Mr. Speaker, since the repeal of the Missouri compromise, any proposition from the South to the North to adjust this question on the line of 36° 36', or any other line, is a simple insult. If slavery is right in itself, or has the right under the Constitution to go into the Territories of the United States, let it go into all the Territories

with by Congress; but shall be protected as property by all the departments of the territorial government during its continuance; and when any Territory, north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress, according to the then federal ratio of representation of the people of the United States, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without slavery, as the constitution of such new State may provide.

\* ARTICLE I. In all the territory of the United States now held or hereafter acquired, situated north of latitude thirty-eight degrees and thirty minutes, slavery or involuntary servitude, except as a punishment for crime, is prohibited, while such territory shall remain under territorial government. In all the territory south of said line of latitude now held or hereafter acquired slavery of the African race is hereby recognised as existing, and shall not be interfered

where climate and soil will permit it to go. We are not responsible for it. If it is wrong in itself, and has no right under the Constitution to go into the Territories of the United States, let us exclude it from all the Territories. If slavery is wrong north of  $36^{\circ} 30'$ , it is not right south of  $36^{\circ} 30'$ . I am not willing that the North shall be a second time cheated in this matter, and will not vote into the Constitution any new powers for slavery. I can never vote to give further powers or constitutional guaranties to an institution which has controlled this Government up to this time; and now, when one department of the Government is about to be beyond its control, threatens to destroy the Government itself. It seems to me that this is the most fatal remedy for existing evils that can be devised by man.

I should like, Mr. Speaker, to examine each of these propositions at length, but time will not permit me to do so. They are all designed and intended to give new and further constitutional powers and guaranties to slavery. The words *slave* and *slavery*, which our fathers would not permit to be in that instrument, are now to be written on the fore-front of the Constitution in characters so incalculable that all the people who shall ever come after us can never erase them, and slavery is to be fastened as a national badge forever upon this Capitol. We are asked to provide that while all things else may be changed, amended, or repealed, the provisions for the benefit of slavery shall be eternal.

Mr. Speaker, before passing from this subject, I must ask the attention of the House to Article 7 of the amendments proposed by the Senator from Kentucky, [Mr. CRITTENDEN.] It is in these words:

"ARTICLE 7. SEC. 1. The elective franchise and the right to hold office, whether Federal, State, territorial, or municipal, shall not be exercised by persons who are, in whole or in part, of the African race."

Now, sir, what the object or purpose of such an amendment is, I am at a loss to understand. Under the pretence of securing State rights, it strikes one of the most fatal blows ever aimed at the rights of a State. The right of each State to determine who of her people shall be citizens of the State, who shall exercise the elective franchise, and who shall be eligible to office in the State, is one which, I supposed, had always been among the cherished rights which no State would willingly surrender. I find that those men who have always claimed to be the especial guardians of State rights, value them only as they make in favor of slavery; and while they claim the power to extend them over all the territory of the United States for its protection, are willing to strike them down in every State in obedience to its demands. This proposed amendment deprives every State of the power to determine for itself who of her citizens shall have the elective franchise, and who shall be eligible to even State and municipal offices; and, at the same time, deprives a class of men, whose fathers fought in the Revolution, and voted for the adoption of the Constitution under which we now live, of rights which they and their an-

cestors have enjoyed from the foundation of the Government.

In his opinion in the Dred Scott case, Mr. Justice Curtis says:

"At the time of the ratification of the Articles of Confederation, all free native-born inhabitants of the States of New Hampshire, Massachusetts, New York, New Jersey, and North Carolina, though descended from African slaves, were not only citizens of those States, but such of them as had the other necessary qualifications possessed the franchise of electors on equal terms with other citizens."

And again, in the same opinion, in speaking of the political rights which colored men have enjoyed in Massachusetts under the Constitution adopted in 1780, he says:

"It is true, beyond all controversy, that persons of color, descended from African slaves, were by that Constitution made citizens of the State; and such of them as have had the necessary qualifications, have held and exercised the elective franchise, as citizens, from that time to the present."

The only reason that can be given for this proposed amendment is, that slavery, to justify itself, feels bound to degrade the colored man wherever he can be found. Shall we recommend to the people of this country to alter their Constitution for such a reason?

The amendment to the Constitution proposed by the committee of thirty-three, and reported by the chairman [Mr. CORWIN] to this House, is as follows:

"ARTICLE XII. No amendment of this Constitution having for its object any interference within the States with the relation between their citizens and those described in section second of the first article of the Constitution as 'all other persons,' shall originate with any State that does not recognize that relation within its own limits, or shall be valid without the assent of every one of the States composing the Union."

I object to this amendment; not because I wish to change or alter the Constitution in this respect from what we now agree it is, but because it will give to the relation of master and slave, and to the right which a master has to his slave, a recognition and protection which it gives to no other relation or right, and will justify the slave owner in saying that he has in the Constitution protection to his property in his slave higher than is given to any other property.

I object to this amendment because it destroys the equality of the States. It confers upon a slave State the power to do that which it denies to a free State the power to do. It authorizes a slave State to originate amendments to the Constitution which free States are denied the power to originate.

I object to this amendment, because it may happen that hereafter the Supreme Court may give to some of the provisions of the Constitution to which the above amendment relates an interpretation which may make it desirable that we should have the power to amend the Constitution, without being dependent upon a slave State to propose the amendment or being obliged

to have the concurrence of every slave State in its adoption. I find the following language in the opinion of the Court in the *Dred Scott* case:

"And if the Constitution recognises the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether it be legislative, executive, or judicial, has a right to draw such a distinction, or deny to it the benefit of the provisions and guaranties which have been provided for the protection of private property against the encroachments of the Government.

"Now, as we have already said in an earlier part of this opinion, upon a different point, the right of property in a slave is distinctly and expressly affirmed in the Constitution."

I fear that some day this tribunal may hold that a master has the right, under the Constitution, to take his slaves into any State, free as well as slave, and hold them there according to his own will and pleasure. Perhaps such a decision now would be less surprising than were some of the opinions of the Judges in the case to which I have referred. Should that happen, whether it were possible to amend the Constitution or not, I should regret that I had contributed to place any obstacle in the way.

I cannot vote for the bill reported by the committee to enable New Mexico to form a constitution and be admitted into the Union. It is admitted on all sides that she has not the requisite qualification for admission at this time. I understand that the admission of New Mexico is offered as a concession to the slave States, and they are urged to accept it as such, because she will be far more likely to come in a slave State if permitted to come now than at a future time. It is well known that the Territory of New Mexico has the most infamous slave-code ever enacted on this continent, so infamous that every Republican in this House, except one, voted at the last session for its repeal. Now it is proposed by Republicans to authorize these people to form a constitution, leaving the same influences which enacted the code to make the constitution. The result would probably be that the slave-code which we voted to repeal, as being a disgrace to American legislation would be transcribed into the constitution, and made a part of the fundamental law of the land.

When slavery shall be thus protected and guaranteed in New Mexico, I shall not be surprised to see the number of slaves rapidly increase. I can understand why masters do not take their slaves into a Territory so long as they fear that when it comes into the Union it may be a free State. In speaking of this Territory, Henry Clay said:

"Sir, while you reproach, and justly, too, our British ancestors for the introduction of this institution upon the continent of America, I am, for one, unwilling that the posterity of the present inhabitants of California and New Mexico shall reproach us for doing just what we reproach Great Britain for doing to us. If the citizens of these Territories choose to establish

slavery, I am for admitting them with such provisions in their constitutions; but then, it will be their own work, and not ours, and their posterity will have to reproach them, and not us, for forming constitutions allowing the institution of slavery to exist among them."

If we admit New Mexico under existing circumstances, and for the reasons which have been assigned in this House, I shall fear that posterity will reproach us, rather than the inhabitants of New Mexico, for making her a slave State.

But, suppose that we should admit New Mexico now, what assurance have we that she will not claim and exercise the so-called right of secession, the same as several other States formed out of the territory of the United States have done?

By geographical position, similarity of laws and institutions, she is identified with the States that have assumed to secede from this Union, and I doubt not that had she been a State she would, before this time, have passed a secession ordinance and associated herself with the States in rebellion against this Government.

All these propositions are offered as concessions or compromises, and what is the consideration which the North is to receive? Mr. Lincoln is to be President of the United States.

Have the people of the free States fallen so low that they are willing, after a President has been duly elected according to the Constitution and the laws, to buy the right for him to administer the Government? Are they willing to change and alter the fundamental law of the land in obedience to the demands of traitors and rebels with threats in their mouths and weapons in their hands?

But suppose we yield everything, adopt all these so-called compromises, make all these concessions, who is satisfied? Will the States that have seceded return? These States tell us that no compromise or concession will ever induce them to return. Any man who knows Jefferson Davis and Alexander H. Stephens knows that they will not consent to be known only as rebels against this Government until they have found it impossible to be known as founders of another.

Will the slave States that have not seceded agree to remain? Not unless we are willing to give them the absolute control of the Government. All these States tell us that they will never consent that this Government shall adopt any policy or do any act in reference to the seceded States which shall be what they call coercion.

How often have we been told in this House, within the last three months, that any attempt to coerce a sovereign State would make the South a unit against this Government. Now, sir, if we adopt all these compromises, make all these concessions, and then attempt to enforce the laws in any seceded State—attempt to recover possession of the property that has been plundered or stolen from this Government—we shall find these new ligaments which we have bound around the Union no stronger than the threads of a spider's web.



Mr. Speaker, I have still other objections to all these compromises and concessions at this time. If we buy the right for men elected to office by a constitutional majority of the people to administer the Government, no matter what we pay for it, we strike a fatal blow at republican liberty and republican government.

Hereafter an election by the people will determine nothing, not even who are to hold the offices. Hereafter the man who is to be President must not only be elected by the people, but he must be able to make terms with the defeated party, and his power to administer the Government will be as dependent upon the one as the other. Hereafter the defeated party will demand, as the terms of acquiescence in the election, that its favorite political doctrines shall be made a part of the Constitution, and that instrument will soon become a piece of political patchwork, made up of party platforms which have been rejected by the people.

If we buy the right to administer the Government now, we recognise the right of secession in every State, and every law enacted by this Government will receive its force and vitality, not from the Federal Government, but from the acquiescence of each one of the States. There will be as many powers able to annul the acts of this Government as there are States in the Union, and the Government will have become as contemptible as it would be if it was required by the Constitution to submit every one of its acts to the approval or disapproval of each one of the States. The power of this Government to resist all assaults upon it by foreign powers has been tested, and it has not been found wanting. Its power to resist assaults from within—domestic assaults—rebellion—is now about to be tested, and upon the men of the present day rests the responsibility of deciding whether this Government is to be a success or a failure. If this rebellion shall be successful, or if this Government shall be forced to recognise the right of secession in each State, then is this Government a failure. Then have we lived, for the last three-quarters of a century, under a delusion—the most pleasing and beautiful the world has ever known—but still a delusion.

We have supposed that we had a system of Government so perfectly adjusted in all its parts that each State added to the Union, while reserving all the rights and powers necessary for itself, gave increased strength and permanence to the central government. We had learned to look upon it as we look upon the solar system. The Federal Government was the sun and each of the States a planet. While each revolved around and was sustained by the common centre, all united to sustain and hold in its place the common centre itself. We should almost as soon have expected one of the planets would attempt to rush madly from its bright sphere into the unknown regions of darkness and gloom as to have expected one of the States of this Union to attempt to withdraw itself from the security and protection which it received from the Federal Government. Not only the central power, but each individual State must use all

its rightful powers and influences to retain every other State within the Union.

I cannot accept the doctrine that this Government is but a voluntary association of States, each one having the right to withdraw at pleasure, and every State added only increasing the certainty and hastening the day of its dissolution. I cannot believe that our fathers constructed this Government no more wisely than would the builder, who should erect a temple massive in its structure, beautiful in its proportions, and omnipotent to resist all powers from without, but so designed that a single blow from within would prostrate the pillars on which it rested and cause the temple itself to topple and fall.

We have often been told, on this floor, that it mattered not whether a State had the right to secede or not, secession was a fact accomplished. This, sir, is begging the question. If a State has a constitutional right to secede, then secession is a fact accomplished in six of the States. Their claims on this Government are ended, and the jurisdiction of this Government over them is also ended. They have exercised a constitutional right; and no man can complain. But if a State has not the constitutional right to secede, then it matters not what may have been done by State Legislatures or conventions, these States that have attempted to secede are in the Union, and their people are under the jurisdiction and the laws of this Government as much to-day as they were one year ago; and it is the duty of the Government, and every officer of the Government, to enforce the laws against and protect the rights of the people of these States. When the President of the United States, in his message, denied to a State the right of secession, he told the country that he knew his duty; but that he was too weak or too wicked to do it. He had been too long the accomplice or the accomplice of traitors to be able to discharge the duties which thirty millions of people had intrusted to him. He has failed to "preserve, protect, and defend the Constitution of the United States," and to "take care that the laws be faithfully executed." The special pleading of his Attorney General will not save him from the contempt of all good men, and the infamy to which history will assign him. It matters not whether he supposed the object and purpose of the men who were plotting treason and rebellion was the intimidation of the North, or the actual overthrow of the Government, his duty was clear and plain; and had he, when requested and urged to do so, placed one thousand men in the forts which have since been seized by the secessionists, he would have retired from the Presidential chair with the people of every State obedient to the Government; and it would never have been said that, during his Administration, six States, unmolested and unrestrained, set at defiance the Constitution and the laws, and assumed to establish a separate Government.

How the evils which now surround us are to be overcome, time alone can tell. The numerous and conflicting propositions for altering and amending the Constitution prove conclusively

that experience has not shown that any particular alterations or amendments are needed. And a Constitution under which a people have lived for almost three quarters of a century prosperous and happy, grown from three millions to thirty millions, should receive only such amendments as experience has shown to be necessary. It should not be altered or touched in any time of excitement, or to meet any sudden difficulty which the Government should encounter, not requiring the exercise of new constitutional powers.

I agree with the distinguished Senator from Vermont, that it is proper that Congress propose and recommend amendments to the Constitution only in case the General Government feels the want of more delegated powers; and that where the States desire amendments to the Constitution for their security or protection, they should ask Congress to call a convention.

Now, sir, if the people shall come to the conclusion that any amendments to the Constitution are necessary at this time, the Legislatures of the States will apply to Congress to call a convention for proposing amendments; and it will be the duty of Congress to call the convention. Such a convention would bring together the ablest men from all the States; not for the purposes of general legislation; not to provide for carrying on the Government for the time being, but only to consult and act upon the important question of altering or amending the Constitution. Such a convention might exert a salutary influence upon the country, whether they should propose amendments to the Constitution or not. But this is a question not for Congress, but for the people.

Mr. Speaker, I feel confident that Mr. Lincoln and the wise and patriotic men whom he will call around him will do all that can be done to unite the people and restore peace and harmony to the country.

I expect no very sudden or miraculous cure of existing evils. I shall be well content if the next four years shall cure the evils which the last four have produced. It is easier to pull down than to build up, to destroy than to restore. I trust that the wisdom, firmness, and moderation of the incoming Administration will satisfy the people of the whole country that they have entrusted the Government to safe hands. And I hope and trust that the

people in the States, now in rebellion against the Government, when they shall see that the rights of all sections of the country are respected, and when they shall realize, as they soon will, the evils and misfortunes which secession has brought upon them, will reject the counsels of the men who have precipitated them into rebellion against the best Government the world ever saw, and return to their allegiance.

I rejoice, Mr. Speaker, that these evils have not fallen upon the country during an Administration of the Government for which we, on this side of the House, are responsible. If the men we have elected to office do their duty from the 4th of March, come what may, the responsibility of this rebellion will not rest upon us.

I doubt not that these men will do their duty boldly and fearlessly. When they were called to take command of the ship of State they knew that they could not expect constant fair weather. They knew that there might be the storm and the gale, as well as the clear sky and the propitious breeze, and they are not the men to throw overboard the chart and compass by which they proposed to steer when the tempest is upon them.

But, Mr. Speaker, whether the slave States shall remain in this Union or not, I fear not that I shall not have a country. I have not lost my confidence in God, nor in man's ability for self-government. I do not believe that the world is to roll backward, or that the great truths which the life of this nation has illustrated are to be stricken from the page of knowledge or the hearts of men. I fear not that the flag with the stars and stripes will not continue to wave over the free States. If our brethren of the South shall leave us, that flag will still float over twenty millions of people, and from the rising of the sun to the going down thereof, it will cast its shadow on the head of no human being whom it will not protect in all the essential rights of manhood. It will be the emblem of twenty millions of people, each one of whom will ask for himself no civil or political rights which he will not on the same terms and conditions willingly award to every other man. That flag will be the emblem of justice, right and power.

WASHINGTON, D. C.

PRINTED AT THE NATIONAL REPUBLICAN OFFICE.

1861.



